

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

NOV 15 2022

CLERK U.S. DISTRICT COURT
WEST. DIST. OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

ERIE COKE CORPORATION
ANTHONY NEARHOOF

Criminal No. 22- 23

[UNDER SEAL]

MOTION TO SEAL INDICTMENT
AND ARREST WARRANT

AND NOW comes the United States of America, by its attorneys, Cindy K. Chung, United States Attorney for the Western District of Pennsylvania, and Nicole Vasquez Schmitt, and Michael L. Ivory, Assistant United States Attorneys for said District and Perry D. McDaniel and Martin Harrell, Special Assistant United States Attorneys and, pursuant to Rules 6(e)(4) and 6(e)(6) of the Federal Rules of Criminal Procedure, respectfully moves the Court to issue an Order sealing the Indictment returned in this case, and the Arrest Warrant issued pursuant to said Indictment. In further support of this Motion, the United States avers as follows:

1. The United States has presented an indictment to the grand jury now in session in the city of Erie, Pennsylvania.
2. The aforesaid Indictment charges the above-named defendants with violating with Title 18, United States Code, Sections 371, 2, and Title 42, United States Code, Sections 7413(c)(2)(C) and 7413(c)(1).
3. The Indictment has been returned by the grand jury to this Honorable Court, and an Arrest Warrant has been requested by the government.
4. The United States deems it prudent, in the interest of justice and integral to the integrity of the grand jury process that the Indictment returned by the grand jury and Arrest

Warrant issued thereby, together with this Motion and Order to Seal, be sealed until further Order of Court to ensure that the arrest of the defendant not be compromised and that the secrecy of the grand jury proceedings be maintained to prevent disclosure of matters occurring before the grand jury.

WHEREFORE, the United States of America respectfully requests that the Court issue an Order sealing the Indictment in this case, and the Arrest Warrant issued thereby, together with this Motion and Order, until further Order of Court.

Respectfully submitted,

CINDY K. CHUNG
United States Attorney

By: /s/ Nicole Vasquez Schmitt
NICOLE VASQUEZ SCHMITT
Assistant U.S. Attorney
PA ID No. 320316

/s/ Michael L. Ivory
MICHAEL L. IVORY
Assistant U.S. Attorney
PA ID No. 59296

/s/ Perry D. McDaniel
PERRY D. MCDANIEL
Special Assistant U.S. Attorney
WV ID No. 4999

/s/ Martin Harrell
MARTIN HARRELL
Special Assistant U.S. Attorney
WV ID No. 1607